

Message Text

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PAGE 01 BELIZE 00572 100122Z

ACTION CPR-02

INFO OCT-01 ARA-14 EUR-12 ISO-00 L-03 SS-15 SP-02

STE-01 FBOE-00 A-01 TRSE-00 EB-08 COME-00 ABF-01

/060 W

-----013834 110507Z /23

R 091510Z JUN 78

FM AMCONSUL BELIZE

TO SECSTATE WASHDC 6439

INFO AMEMBASSY LONDON

UNCLAS BELIZE 572

E.O. 11652: N/A

TAGS: PDIP, EFIN, BH, UK, AFSP, ABLD

SUBJECT: FOR IMPOSING TAXES ON US WITHOUT OUR CONSENT

ON MAY 20, 78, THERE WAS GAZETTED THE STAMP DUTIES (AMENDMENT) ORDINANCE, 1978 WHICH AMENDED AN EXISTING ORDINANCE REGARDING STAMP TAXES. UNDER THE OLD ORDINANCE, CONSULATE HAD BEEN PAYING MODEST STAMP TAXES ON ALL IMPORTED ITEMS BANK CHECKS AND SIMILAR. THIS TAX HAD BEEN SPECIFICALLY LEVIED UNDER TERMS OF THE CONSULAR RELATIONS ORDINANCE OF 1972 WHICH GIVES "EFFECT TO THE VIENNA CONVENTION ON CONSULAR RELATIONS". ARTICLE 59 OF THE ACT STATES: "CONSULAR OFFICERS AND CONSULAR EMPLOYEES AND MEMBERS OF THEIR FAMILIES FORMING PART OF THEIR HOUSEHOLD SHALL BE EXEMPT FROM ALL DUES AND TAXES, PERSONAL OR REAL, NATIONAL REGIONAL OR MUNICIPAL, EXCEPT: . . . REGISTRATION, COURT OR RECORDS FEES, MORTGAGE DUES AND STAMP TAXES, SUBJECT TO THE PROVISIONS OF ARTICLE 32". THAT ARTICLE STATES THAT CONSULAR PREMISES AND THE RESIDENCE OF THE CAREER HEAD OF CONSULAR POST SHALL BE EXEMPT. THE AMENDMENT OF MAY 20 PROVIDES FOR AN ACROSS THE BOARD INCREASE IN ALL STAMP DUTIES-RAISING FOR EXAMPLE, THE FEE WE PAY ON EVERY CHECK FROM DOLLARS .05 BELIZE TO DOLLARS .15 BELIZE. IT ALSO READS AS FOLLOWS: "ON EVERY WARRENT SUBMITTED TO THE CUSTOMS FOR CLEARING GOODS IMPORTED INTO

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THE COUNTRY THERE SHALL BE PAID A STAMP DUTY OF THREE PERCENTUM AD VALORUM ON THE C.I.F VALUE OF THE GOODS IMPORTED".

AS WE READ THE US/UK CONVENTION ON CONSULAR OFFICERS, TIAS 2492, ESPECIALLY ART. 13 (3) (C) AND (5) (B) (III) WE ARE UNSURE AS TO WHERE WE STAND.

THE FINANCIAL SECRETARY, MR. FONSECA, A CIVIL SERVANT OF CONSIDERABLE INTEGRITY HAS ADVISED INFORMALLY THAT HE BELIEVES WE HAVE TO PAY ALTHOUGH HE HAS NOT MADE A FINAL DECISION. THE MAJOR ITEM AT ISSUE IS THE NEW DIESEL GENERATOR SET RECENTLY BROUGHT INTO THE COUNTRY AND PRESENTLY BEING INSTALLED IN OUR BACK YARD. THE STAMP TAX ON IT ALONG WILL AMOUNT TO SOME DOLSS(US) 400. IN ADDITION, ALL IMPORTED ITEMS PURCHASED HERE - I.E. MOST OF THE THINGS WE BUY LOCALLY OR WHICH WE IMPORT, FROM U.S. VENDORS, GSA, ETC. WILL REFLECT EITHER FOR INDIVIDUAL EMPLOYEES OR FOR S AND E AND FBO BUDGETS, A THREE PERCENTUM INCREASE.

BASED ON THE ABOVE, WE WOULD APPRECIATE DEPARTMENT'S COMMENTS AND ADVICE. WE HAVE NOT TAKEN CASE TO GOVERNOR BUT ARE PREPARED TO IF DEPT BELIEVES IT APPROPRIATE. IS THERE ANY-THING EMBASSY LONDON MIGHT DO? THIS NEW TAX WILL REPRESENT A SUBSTANTIAL FINANCIAL BURDEN ON BOTH EMPLOYEES AND CONGEN.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CUSTOMS DUTIES, TAXES, AMENDMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978BELIZE00572
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780244-0102
Format: TEL
From: BELIZE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780678/aaaacpgc.tel
Line Count: 82
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e4efc58c-c288-dd11-92da-001cc4696bcc
Office: ACTION CPR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2424188
Secure: OPEN
Status: NATIVE
Subject: FOR IMPOSING TAXES ON US WITHOUT OUR CONSENT ON MAY 20, 78, THERE WAS GAZETTED THE STAMP DUTIES (AMENDMENT) ORDINANCE, 1978 WHICH AMENDED AN EXIST
TAGS: PDIP, EFIN, AFSP, ABLD, BH, UK
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/e4efc58c-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014